

TOWN OF POMPEY TOWN BOARD MINUTES

The Town Board of the Town of Pompey held its Regular Meeting on Tuesday, October 8, 2024 at 6:30 p.m. The meeting was held in-person and was live-streamed via Zoom. In attendance were: Supervisor Mark Nardella, Councilors Bill Lipe, James Loomis, Diana Carpenter, David Angello; Town Attorney David Capriotti; Town Accountant James Pompo; Highway Superintendent Bruce Way; Town Clerk Nikki Reid and Zoom Host Veronica Hotaling.

Supervisor Nardella called the meeting to order at 6:31 p.m. followed by the Pledge of Allegiance.

A moment of silence was had for Gary Bryant and Pauline Fallico.

PUBLIC COMMENT:

John Shaheen: As a resident of Gulf Road for nearly 40 years, he shared the history on the spring located on that road. During the last budget meeting, there was some discussion regarding the spring which has been there for over 150 years. There is a non-portable sign there because he had the water tested twice and it is extremely high in bacteria. In 2017, a terrible storm came through and obliterated the stream. Several months later, many local farmers and residents came before the Town Board requesting that the stream be rebuilt. Mr. Shaheen deeded the strip of land that the conveyance pipe and cough are located on over to the Town; however, his neighbor negotiated an annual payment which was discussed at the previous budget meeting, to compensate them for the use. He stated that the Highway Department has always maintained the spring.

Jim Gosier: For over a year now, he and multiple neighbors have been dealing with excessive noise and lighting from Heritage Hill; and for over a year, Code Enforcement and the Town Board has done little to nothing to address the neighbors' complaints. For over a year, the neighbors have asked members of the Town Board to meet with them to discuss their concerns, they even invited them to their homes and not a single member of the Town Board has taken them up on that. Last week Mr. Gosier emailed Town Councilor David Angello a very simple proposal on how they could make this all go away, and yet he didn't even get an acknowledgement that he got the email. Mr. Gosier shared pictures with the Town Board of the lights shining into his home, which happens every single night. He was just informed today that Heritage Hill was cited on October 3, 2024 for shining its lighting into Mr. Gosier's bedroom window; however Heritage Hill has until November 3, 2024 to turn the light off. So, for the next 30 days, he gets to look forward to that. If nothing changes, there will be tens of thousands of dollars in legal fees coming in the next couple of months.

Lisa Miles: She addressed some of her concerns regarding the budget workshop meeting. She stated that Town Attorney David Capriotti is requesting an additional \$30,000.00 for the Heritage Hill Article 78 appeal that may be going forward. As a taxpayer, there is a very simple solution to stop that appeal; but none of the Town Board Members want to talk about it. Ms. Miles was told that the Town Board Members were instructed not to discuss the lawsuit with her; however, Town Attorney David Capriotti told her attorney that he never told the Town Board Members that. She stated that the legal fees are going to continue to escalate. Ms. Miles has filed violations under Section 268 of the Town Code; the next step is for her and the two taxpayers that filed those violations to go to Court to have enforcement done. Last month, resident Tim McDevitt asked the Town Board how they pick and choose which violations they are enforcing; she stated that the Town Board picks and chooses based on their friends.

Dan McClung: The petitioners have reached out to all involved parties and they have done everything they can do to avoid further escalation regarding the ongoing lawsuit with Heritage Hill. They have opened the door for very simple remedies to make this go away. He expressed a sense of sadness and disappointment in seeing how this situation is playing out.

ACCOUNTANT'S REPORT:

- R-118-24 Motion by Carpenter, seconded by Lipe to accept the September 2024 Supervisor's Report. All in favor. Motion carried.
- R-119-24 Motion by Angello, seconded by Loomis to accept the September 2024 Bank Reconciliation Report for the Supervisor's account. All in favor. Motion carried.

NYCLASS Interest brought in \$9,126.00 this month; a total of \$94,097.00 to date. There is still \$238,000.00 left in APRA funds.

A public hearing will be held Monday, October 28, 2024 at 6:30 P.M. to override the tax cap and vote on the budget.

TOWN CLERK'S REPORT:

- R-120-24 Motion by Carpenter, seconded by Loomis to accept the September 10, 2024 Regular Meeting Minutes. All in favor. Motion carried.
- R-121-24 Motion by Loomis, seconded by Carpenter to accept the September 2024 Bank Reconciliation Reports for the Town Clerk and Tax Collector. All in favor. Motion carried.
- R-122-24 Motion by Lipe, seconded by Carpenter to approve the following payment of bills: Abstract Nos. 462-504, totaling \$71,665.59. All in favor. Motion carried.

HIGHWAY SUPERINTENDENT'S REPORT:

Highway Superintendent Bruce Way stated that salt and sand are coming in nicely; they are about $\frac{3}{4}$ of the way full.

R-123-24 Motion by Nardella, seconded by Loomis to authorize Highway Superintendent Bruce Way to spend \$219,400.00 in APRA funds for the purchase of a Diamond Boom Mower System and Front Mounted Broom System in the amount of \$195,500.00 and to purchase a Hydronic Modines, 143-193k btu heater from Holbrook Heating in the amount of \$23,900.00. All in favor. Motion carried.

R-124-24 Motion by Angello, seconded by Nardella to spend the remaining \$35,000.00 in ARPA funds for the purchase of a gazebo in the Hamlet of Pompey, pending State approval. All in favor. Motion carried.

CODE'S OFFICER REPORT:

R-125-24 Motion by Nardella, seconded by Angello to accept the Codes Officer's Report for the month of September 2024. All in favor. Motion carried.

SUPERVISOR'S REPORT:

R-126-24 Motion by Nardella, seconded by Loomis to approve the Kyanka Assessment change. All in favor. Motion carried.

R-127-24 Motion by Nardella, seconded by Angello to accept Alma Hartnett's resignation as the Assistant to the Supervisor, effective August 26, 2024. All in favor. Motion carried.

Supervisor Nardella thanked Alma Hartnett for all her efforts. Councilor Angello also thanked Alma for all that she does for the town; he remarked that she's an incredible lady that doesn't stop helping other people. He wanted her and her whole family to know how much he appreciates what she does for the town.

Supervisor Nardella stated that there is possibly a large-scale windmill project being proposed in the towns of Tully, Lafayette, and Otisco. He remarked that this is being state mandated; he just wanted to give residents a heads up. Pompey is the highest point in the County so there is a possibility that the town will be approached. Councilor Carpenter stated for the record that the town has not been approached yet; she stated that other towns are looking for support from Pompey.

COUNCILOR'S REPORT:

Councilor Angello asked to have an open agenda item for the Town Board Councilors so that they can bring things forward to have open discussions. He also would like to

have a discussion about moving public comment back to the end of Town Board meetings; he's heard a lot of feedback from the residents that would like to see that happen. Councilor Carpenter agrees with Councilor Angello about adding an open agenda item so that individual Board Members have the opportunity to discuss any matters they see fit. Councilor Lipe agreed that moving public comment to the beginning was originally a great idea so that people didn't have to sit through an entire meeting just to wait for the opportunity to have public comment; however, he stated that the feedback has been just the reverse. He is fine with moving public comment to the end of the meetings. Councilor Carpenter and Councilor Loomis are both in support of moving public comment to the end of the meeting.

R-128-24 Motion by Angello, seconded by Loomis to accept the audits of the Town Clerk, Tax Collector, Judge Amond's Office, Judge Cagnetti's Office, and the Supervisor accounts for the fiscal year 2023. All in favor. Motion carried.

Councilor Angello thanked Councilor Carpenter for all her hard work completing those audits.

Councilor Carpenter has been working with Town Attorney Amelia McLean-Robertson in regards to the social media policy. There are two areas that the Town Board would have to make a determination on; however it is a work-in-progress. Councilor Carpenter would like the other Board Members to review the policy and be prepared to vote on it at the November 12, 2024 meeting. Veronica Hotaling would like to review and discuss with the Town Board members before she commits to managing the Town's Facebook page. Councilor Lipe stated that even if the policy is well written, he still has uncertainty with the enforcement of it. Councilor Angello reviewed the policy and there is one section that he is grossly opposed to; which involves public comment.

R-129-24 Motion by Lipe, seconded by Loomis to adjourn the meeting at 7:38 p.m. All in favor. Motion carried.

Respectfully submitted,

Nikki Reid
Pompey Town Clerk